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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/056,072	04/07/1998	HERVE BAZIN	61750221	4832

7590 05/19/2005

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EXAMINER
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GAMBEL, PHILLIP

ART UNIT	PAPER NUMBER
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1644

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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09/056072

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

1644

05162005

DATE MAILED:

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**Commissioner for Patents**

1. Again, applicant appears to ignore the examiner's continued requests since 7/7/98 for placing the instant application in compliance with the Sequence Rules.

Again, applicant is required to comply with sequence rules as indicated in the previous Office Actions and reiterated herein.

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821-1.825, however, this application fails to comply with the requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures.

The following procedure is to be used for cases that contain the same sequence disclosure as the parent. The applicant need not submit a new computer readable form of the Sequence Listing in this divisional. However, (1) the specification must contain a paper copy of the Sequence Listing, (2) applicant must request in writing that the CRF in the parent case be used to prepare a file for the offspring and (3) applicant must submit a statement that the paper copy of the Sequence Listing in the offspring is identical to the computer readable form submitted in the parent case.

2. As pointed out previously, a substitute specification is required because the numerous entries to be amended in the specification, filed 1/4/99 (Paper No. 6). The substitute specification filed must be accompanied by a statement that it contains no new matter. Such statement must be a verified statement if made by a person not registered to practice before the Office.

Again, it does not appear that applicant has provided a substitute specification at this time or has addressed the previous requests to provide a substitute specification.

3. As the non-compliant amendment is reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37 CFR § 1.135(c)), applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this notice within which to re-submit the corrected section which complies with 37 CFR § 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel whose telephone number is (571) 272-0844. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (571) 272-0841.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phillip Gambel, PhD.  
Primary Examiner  
Technology Center 1600  
May 16, 2005